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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**DECLARATION OF AMIT MAKKER
IN SUPPORT OF PLAINTIFFS'
MOTION TO COMPEL PRODUCTION
OF DOCUMENTS AND FOR
RELATED RELIEF**

Date: December 11, 2020
Time: 1:30 p.m.
Place: Courtroom 8
Judge: Hon. Lucy H. Koh

1 I, Amit Makker, declare as follows:

2 1. I am an active member of the State Bar of California, a member in good standing
3 of the Bar of this court, an associate in the San Francisco office of Latham & Watkins LLP, and
4 counsel for Plaintiffs in the above-captioned case. I submit this declaration in support of
5 Plaintiffs' Motion to Compel Production of Documents.

6 2. I have personal and first-hand knowledge of the matters set forth below and, if
7 called upon to do so, I could and would testify competently thereto.

8 3. Attached hereto as **Exhibit 1** is a true and correct copy of Plaintiffs' First Set of
9 Requests for Production ("RFPs"), served November 17, 2020.

10 4. Attached hereto as **Exhibit 2** is a true and correct copy of Defendants' Response
11 to Plaintiffs' First Set of RFPs, served November 27, 2020.

12 5. Attached hereto as **Exhibit 3** is a true and correct copy of an email chain between
13 Amit Makker and Counsel for Defendants, dated November 24, 2020.

14 6. Attached hereto as **Exhibit 4** is a true and correct copy of an email chain between
15 Amit Makker and Alexander V. Sverdlov, dated December 8, 2020.

16 7. Attached hereto as **Exhibit 5** is a true and correct copy of a letter from Sadik
17 Huseny to Alexander Sverdlov, dated December 4, 2020.

18 8. Attached hereto as **Exhibit 6** is a spreadsheet that Plaintiffs compiled in order to
19 assess the number of duplicates in Defendants' December 1, 2020 and December 8, 2020
20 productions.

21 9. Attached hereto as **Exhibit 7** is a true and correct copy of a letter from
22 Chairwoman Carolyn B. Maloney of the Committee on Oversight and Reform, to Secretary
23 Wilbur L. Ross, Jr. of the U.S. Department of Commerce, dated December 2, 2020, and
24 available at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-12-02.CBM%20to%20Ross-Commerce%20re%202020%20Census%20Count.pdf>.
25

26 10. Attached hereto as **Exhibit 8** is a true and correct copy of a document entitled
27 "DRF1 Anomaly Summary," dated November 27, 2020. The document is labeled as "Document
28 #2," was produced by the House Committee on Oversight and Reform on December 2, 2020, and

1 is available at

2 <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document%202.pdf>.

3 11. Attached hereto as **Exhibit 9** is a true and correct copy of a document entitled
4 “2020 Census Post Collection Processing,” dated November 27, 2020. The document is labeled
5 as “Document #3,” was produced by the House Committee on Oversight and Reform on
6 December 2, 2020, and is available at

7 <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document3.pdf>.

8 I declare under penalty of perjury under the laws of the United States of America that
9 each of the facts stated herein is true and correct. Executed on December 9, 2020, at Oakland,
10 California.

11
12 /s/ Amit Makker

13 Amit Makker
14 of LATHAM & WATKINS

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19
20 **ATTESTATION**

21 I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this
22 document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred
23 in this filing.

24 Dated: December 9, 2020

LATHAM & WATKINS LLP

25
26 By: /s/ Sadik Huseny
27 Sadik Huseny
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